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Attorneys for Plaintiffs Patrick Byrne and Paul Drazen,

as Trustees to LIUNA, Local No. 734 Pension and Welfare Funds

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

PATRICK BYRNE and PAUL DRAZEN, as  
TRUSTEES OF THE LABORERS'  
INTERNATIONAL UNION OF NORTH  
AMERICA LOCAL 734 PENSION FUND and  
LABORERS' INTERNATIONAL UNION OF  
NORTH AMERICA LOCAL 734 WELFARE  
AND EDUCATIONAL FUND, and  
LABORERS LOCAL 734,

Plaintiffs,

-vs-

LOUIS CALASTRO, SALVATORE  
SALERNO, MICHAEL ROSADO, JOSEPH  
GAMBARDELLA, PETER RIZZO, JOHN  
FRITZSCH, AUGUST VERGALITO, RHODA  
VERGALITO, JAMIE DOLAN, EDWARD  
DOLAN, BERNARD DWYER, ISAAC  
BAROCUS a/k/a "Irving Barocus," FRANK  
PERNICE, CHARLES J. PURCELL, CJP  
ACCOUNTING, INC., PURCELL  
ORGANIZATION, INC., DENNIS J.  
JASTRZEBSKI, DDS, CHRISTOPHER  
SABATELLA, DANIEL CASTIGLIONE,  
JOHN DOES 1-26, and ABC CORPORATIONS  
1-26,

Defendants.

) Hon. Dennis M. Cavanaugh, U.S.D.J.

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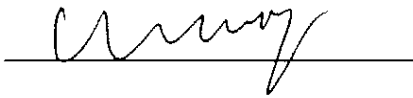
Civil Action No. 05-68 (DMC)

**STIPULATION OF DISMISSAL WITH  
PREJUDICE AS TO DEFENDANTS  
KEVIN LYNCH, CPA AND LYNCH &  
MURRAY, CPAS**

**IT IS HEREBY STIPULATED AND AGREED** by and between the undersigned counsel

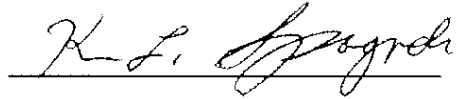
for Plaintiffs in the above-captioned matter and the undersigned counsel for Defendants Kevin

Lynch, CPA, and Lynch & Murray, CPAs, that pursuant to Fed. R. Civ. P. 41(a) the above-entitled action, and all related claims, cross-claims and counterclaims are dismissed with prejudice as to Defendants Kevin Lynch, CPA, and Lynch & Murray, CPAs, in light of the settlement of all disputed claims and issues by and between these parties.



MICHAEL G. MCNALLY  
**KROLL HEINEMAN, LLC**  
Attorneys for Plaintiffs

Dated: July 11, 2008  
at Iselin, New Jersey



KEVIN L. SPAGNOLI  
**MILBER MAKRIS PLOUSADIS &  
SEIDEN, LLP**  
Attorneys for Defendants Kevin Lynch, CPA,  
and Lynch & Murray, CPAs

Dated: July 14, 2008  
at Rochelle Park, New Jersey

**SO ORDERED:**

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Hon. Dennis M. Cavanugh, U.S.D.J.

Dated: \_\_\_\_\_, 2008